

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 22, 2009

DIVISION TWO

[illegible]

The Court:

The judgment is affirmed.

Doi Todd, Acting P.J., Ashmann-Gerst, J., Chavez, J.

B206328 People (Not for Publication)
v.
Mancera et al.

Mancera's judgment is modified by striking the weapon use enhancement on count 2, and, as modified, the judgment is affirmed. Narvaez's judgment is modified by striking the weapon use enhancement on count 1 and to reflect a precommitment credit award of 344 conduct days, and as modified, the judgment is affirmed. The superior court is directed to prepare amended abstracts of judgment reflecting these modifications. The judgments as to Meza and Salas are affirmed in their entirety.

Chavez, J.

I concur: Boren, P.J.
I dissent: Doi Todd, J. (Opinion)

B202367 Laura Torrance-Nesbitt
v.
Unum Provident Corporation, et al.

Filed order denying petition for rehearing.

July 22, 2009

DIVISION THREE

B204149 Westoaks Investment #58 et al (Not for Publication)
v.
Lawrence L. Mantheney

The judgment denying Westoaks 58's petition for writ of mandate is affirmed. Matheney shall recover costs on appeal.

Klein, P.J.

We concur: Kitching, J.
Aldrich, J.

B203978 Michael E. Jackson (Not for Publication)
B205885 v
B205885 Melvin E. Jackson

The orders of the probate court are affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B209859 Jeffrey Siegel (Not for Publication)
v.
Linda Owens Ross

The order determining Siegel is the trustee of the Trust is reversed with directions to vacate the order and enter a new order declaring Ross the successor Trustee of the Trust. Ross shall recover costs on appeal.

Klein, P.J.

We concur: Kitching, J.
Aldrich, J.

July 22, 2009

DIVISION FOUR

B200813 Palmer/Sixth Street Properties, L.P. et al. (Not for Publication)

v.

City of Los Angeles

Association of Community Organizations for Reform Now, et al.

The appeal is dismissed as moot.

Suzukawa, J.

We concur: Willhite, Acting P.J.

Manella, J.

B206102 Palmer/Sixth Street Properties, L.P. et al. (Certified for Publication)

v.

City of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Suzukawa, J.

We concur: Willhite, Acting P.J.

Manella, J.

B206787 1939 Argyle, LLC et al.

v.

First American Title Insurance Company

Filed order denying petition for rehearing.

July 22, 2009

DIVISION SIX

[illegible]

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Coffee, J.

DIVISION SEVEN

B205322 People v. Schwarz (Not for Publication)
B212477 In re Michael P. Schwarz, on Habeas Corpus

In case No. B205322, the judgment filed January 17, 2008 is modified to reflect \$200 in restitution and in parole revocation fines. As so modified, the judgment is affirmed. The clerk of the court is directed to prepare a modified abstract of judgment and forward a copy to the Department of Corrections and Rehabilitation. In case No. B212477, the petition for writ of habeas corpus is denied.

Jackson, J.

We concur: Perluss, P.J.
Woods, J.

July 22, 2009

DIVISION SEVEN (continued)

B206336 People
v.
Kemp

(Not for Publication)

The gang enhancements are reversed. In all other respects, the judgment is affirmed. The clerk of the court is directed to prepare a modified abstract of judgment and forward a copy to the Department of Corrections and Rehabilitation.

Jackson, J.

We concur: Woods, Acting P.J.
Zelon, J.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Rubin, Acting P.J., Flier, J., Bigelow, J., Bendix, J. (Assigned) and Emma Jean Amos, Deputy Clerk.

Each of the following:

B194272 People v. Banos
B205543 People v. Arnott
B210517 DCFS v. M.C.
B214145 DCFS v. T.O.
B213354 DCFS v. J.N.

Argument waived, cause submitted.

B209598 People
v.
Tymon Jacobs

Merits:
Argued by Alex Coolman for appellant and by David Zarmi, Deputy Attorney General for respondent. Cause submitted.

July 22, 2009

DIVISION EIGHT (continued)

B210854 People
 v.
 Priscilla D. Alonso

Merits:
Argued by Alex Coolman for appellant and by Robert Schneider, Deputy Attorney General for respondent. Cause submitted.

B203923 Indara S. Jhaveri, et al.
 v.
 Steven Teitelbaum, et al.

Merits:
Argued by Gerald M. Serlin for appellants and by Michael Brewer for respondents. Cause submitted.

Rubin, J. leaves the bench.

B208202 Manuel Marin, et al.
 v.
 Brush Wellman, Inc. et al.

Merits:
Argued by Gregory Coolidge for appellants and by Ralph LaMontagne, Jr. for respondents. Cause submitted.

Each of the following:

B209557 Doe et al., v. Defendant Doe 1 et al.,
B209366 Gomez v. L.A. County Animal Control

Oral argument continued to August 26, 2009, at 9:00 a.m.

Court adjourned.

July 22, 2009

DIVISION EIGHT (continued)

B211858 In re Prentiss Griffin (Not for Publication)
 on
 Habeas Corpus

For the reasons set forth above, the petition is denied.

Rubin, Acting P.J.

I concur: Bigelow, J.
I dissent: Flier, J. (Opinion)

B212028 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 S.A.,
 In re T.A., a Person Coming Under the Juvenile Court Law.

The order terminating parental rights is reversed. The matter is remanded to the juvenile court with directions to order DCFS to provide the Navajo, Blackfeet, and any other appropriate tribe with proper notice under ICWA. If those tribes indicate T.A. is not an Indian child, the juvenile court shall reinstate the order terminating parental rights. If, however, it is determined T.A. is indeed an Indian child, then the juvenile court shall proceed in accordance with ICWA.

Rubin, Acting P.J.

We concur: Bigelow, J.
 Bendix, J. (Assigned)

July 22, 2009

DIVISION EIGHT (continued)

B210535 People (Not for Publication)
v.
L.M.,

The order is affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
Bendix, J. (Assigned)

B208944 Lone Star Security & Video, Inc., et al., (Not for Publication)
v.
Bureau of Security & Investigative Services

The judgment in favor of the bureau is affirmed. The appeal of Lone Star is dismissed.

Rubin, Acting P.J.

We concur: Bigelow, J.
Bauer, J. (Assigned)